

REMARKS

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 are pending in the current application. Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 currently stand rejected. Reconsideration and withdrawal of the rejections to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 are respectfully requested in light of the following remarks.

Examiner Interview

In response to the telephonic interview conducted January 6, 2011 and the Examiner interview summary dated January 11, 2011, , Applicant wishes to thank the Examiner for the courtesies extended during the interview. Applicant has reviewed the Interview Summary and has found it to be substantially accurate in describing the substance of the interview.

During the interview, the parties discussed the applied Hirayama reference and individual claim elements. The parties agreed that Hirayama did not appear to meet the claim elements for which it was applied, such that further consideration and/or search would be required. The Examiner asked that Applicants provide remarks setting forth the deficiencies of Hirayama discussed during the interview in detail, and Applicants have provided remarks below in accordance with this agreement.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat 5,884,004 to Sato et al. ("Sato") in view of US Pat Pub 2002/0145702 to Kato et al. ("Kato") and US Pat 5,819,003 to Hirayama et al ("Hirayama"). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner applies Hirayama to teach identification of "a same playing interval in each clip file of the plurality of clip files associated with the multiple playback paths" and a map "identifying at least one entry point for the associated clip file by identifying the packet number of the data packet of the at least one entry point." In applying Hirayama in this manner, the individual program bars that make up a story in Hirayama correlate to the recited data packets making up a path, and the DAT file showing program bar reproduction length of FIG. 8C of Hirayama correlates to a same playing interval in each clip file. See Office Action at 6. However, under this application, the DAT file showing program bar reproduction time equates to a **same playing interval in each data packet**, because the Examiner must apply the program bars as data packets to account for the recited packet-entry point correlation. This fails to meet an identification of a **same playing interval in each clip file**, which is a separately-recited element. Trying to patch this error by interpreting the program bars as the clip file is of no avail, because then the recited data packets making up the clip file and providing finer entry points are missing. See Hirayama, FIG. 2B and associated discussion (no sub-elements of program bars

used for entry points). That is, the current claims recite a finer sub-division of path elements, and thus more opportunities for mid-path reproduction switching, than the coarse program bars of Hirayama. As such, Hirayama cannot meet both the recited map that identifies packet numbers for each clip file entry point and a same playing interval being identified for each clip file.

Sato and Hirayama do not cure the differences between claim 1 and Kato, discussed above. Because Kato, alone or in combination with Hirayama and Sato, fails to teach or suggest each and every element of claim 1, these references cannot anticipate or render obvious claim 1. Similarly, claims 16 and 18-21 recite the same unique features of claim 1 discussed above and are thus allowable over Sato, Kato, and Hirayama at least for reciting these features. Claims 2, 6, 7, 9, 17, 23-26, 29, 30, 32, 33, 37, and 44 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

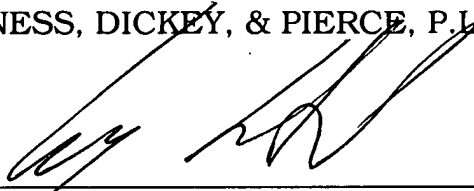
Accordingly, in view of the above remarks, reconsideration of the rejections and allowance of each of claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 in connection with the present application is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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